

ROBERT P. CASEY, JR.  
PENNSYLVANIA

COMMITTEES:  
AGRICULTURE, NUTRITION,  
AND FORESTRY  
FINANCE  
HEALTH, EDUCATION,  
LABOR, AND PENSIONS  
SPECIAL COMMITTEE ON AGING

# United States Senate

WASHINGTON, DC 20510

April 29, 2019

The Honorable Alex M. Azar II  
Secretary  
U.S. Department of Health and Human Services  
200 Independence Avenue, S.W.  
Washington, DC 20201

Dear Secretary Azar:

As I have expressed to you and Administrator Verma previously, I continue to be concerned that individuals and families in Western Pennsylvania will have higher health care costs and reduced access to providers due to a fight over market share between the University of Pittsburgh Medical Center (UPMC) and Highmark Health. There are actions that you can take as Secretary of HHS to address these concerns. I am writing to urge you to prevent a harmful prepayment requirement from taking effect and to announce a Special Enrollment Period for people with Medicare so that they can select a plan that may better meet their needs.

Patient care could be at risk. This summer, over 100,000 Medicare Advantage beneficiaries are going to lose in-network access to their providers and hospitals. As a result people's health care may be upended. Cancer patients with Highmark insurance will lose access to care at the Hillman Cancer Center, and in some instances, may be forced to travel to Cleveland or Baltimore for comparable treatment. People with neurodegenerative diseases lose access to physicians who may have treated them for decades and have a unique understanding of their particular case. Then there is the looming question of what will happen to access to the UPMC Children's Hospital of Pittsburgh. While that facility is in-network for a couple more years, there is no guarantee it will remain so when current contracts expire, potentially barring a significant number of sick children from the care and treatment they need in their community. The examples are endless. The Pennsylvania Attorney General has filed suit to prevent this disruption, but it is unclear if there will be a resolution before June 30 that will provide a definitive answer and needed assistance for Pennsylvanians.

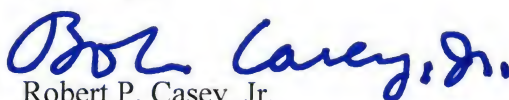
This situation is made worse by UPMC's decision to require all out-of-network beneficiaries to prepay for services from a doctor's visit, to lab work, to surgery. I urge you to prevent this policy from taking effect, while also not allowing UPMC to simply refuse care to out-of-network beneficiaries. As I have communicated to UPMC, I do not believe that anyone on Medicare should ever be asked to pre-pay for a service. Medicare policy already protects UPMC from the concerns they have articulated as necessitating the policy and such a policy goes against the

reason why the program was created in the first place. Furthermore, requiring seniors and people with disabilities to pay thousands of dollars in advance is unacceptable for a non-profit health system. Medicare is designed to provide coverage to people through premiums, copayments and coinsurance, so that seniors on fixed incomes are protected from high health care costs. I ask you, as the Secretary of the Department with oversight over Medicare, to protect the vision of the Medicare program that has served our seniors and people with disabilities for over fifty years.

As I have requested of Administrator Verma, I also urge you to declare a Special Enrollment Period for Medicare Advantage beneficiaries in Western Pennsylvania this summer. The prepayment policy and network changes are scheduled to take effect in the middle of a plan year. This will mean that thousands of seniors with Medicare coverage are likely to find it cost prohibitive to see their provider of choice. Indeed, since Highmark is one of the largest health insurers in the area and UPMC is the largest health care provider network in Western Pennsylvania, there is a substantial threat to patient care. Moreover, confusion, misinformation and bad faith have dominated the 2019 Medicare Advantage enrollment process. Your Department has the ability to intervene by establishing a Special Enrollment Period, which would allow people with Medicare coverage to enroll in an insurance plan that may better meet their health care needs in line with their budget.

Protecting people with Medicare coverage from being forced into prepaying for health care services and establishing a Special Enrollment Period so that people can change their coverage will go a long way toward addressing ongoing market turmoil in Western Pennsylvania. I urge you to take action promptly. Thank you for your consideration of this request. I look forward to your response.

Sincerely,

A handwritten signature in blue ink that reads "Bob Casey, Jr." in a cursive, stylized font.

Robert P. Casey, Jr.  
United States Senator